

IN THE DISTRICT COURT FOR THE WESTERN DISTRICT OF ARKANSAS

FORT SMITH DIVISION

CAROL OLDHAM,

Plaintiff,

vs.

ANNA LAUREN WALTON and
DARLA WALTON,

Defendant.

CASE NO.

16.2274

US DISTRICT COURT
WESTERN DIST ARKANSAS
F ARKANSAS

NOV 28 2016

DOUGLAS F. YOUNG, Clerk
By
Deputy Clerk

COMPLAINT

COMES NOW the Plaintiff, Carol Oldham, by and through her attorney undersigned, and for her cause of action against the Defendants, Anna Lauren Walton and Darla Walton, states as follows:

I.

Plaintiff is a resident of the State of Oklahoma and County of Haskell and has been for more than six months and thirty days respectively prior to the filing of this Petition.

Plaintiff believes that Defendants, Anna Lauren Walton and Darla Walton, were residents of the State of Arkansas and County of Benton at the time of the accident.

The automobile accident which is the subject of this lawsuit occurred in Sebastian County, State of Arkansas.

This court has jurisdiction of the parties and subject matter pursuant to 28 U.S.C. §1331, 1332(a)(i), 1391 and the doctrine of pendent jurisdiction. The

amount at issue in this case, exclusive of interest and costs, exceeds \$75,000.00.

II.

That on or about the 3rd day of December, 2013 Plaintiff was traveling South on the Rogers Avenue on ramp in Ft. Smith, Arkansas. There was a yield sign at the end of the ramp and traffic was stop and go as vehicles merged onto I-540. Plaintiff was at the yield sign waiting for clearance to merge when Defendant Anna Lauren Walton drove the vehicle she was driving, but which was owned by Defendant Darla Walton, into the rear of Plaintiff's vehicle. Defendant Anna Lauren Walton's actions resulted in an accident which caused injuries to the Plaintiff's head, neck, shoulder, elbow and back.

III.

That Defendant Anna Lauren Walton was negligent and negligent per se in violation of existing laws in following too closely, failing to stop for traffic, inattentive driving, failing to keep a proper lookout and possibly other violations to be discovered. That Defendant Darla Walton was negligent in entrusting her vehicle to Defendant Anna Lauren Walton.

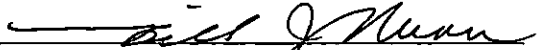
IV.

That as a direct and proximate result of the negligence of the Defendants, and each of them, Plaintiff suffered severe and excruciating injuries both temporarily and permanently causing her great pain and suffering. That in addition thereto, the Plaintiff was caused to incur medical expenses and will expect to incur future medical expenses. Further, the Plaintiff has certain

special expenses, including mileage to and from doctors for which she should be compensated.

WHEREFORE, premises considered, Plaintiff respectfully requests that upon hearing this Petition the Court award Plaintiff actual damages in excess of \$75,000.00; that this Court further award Plaintiff judgment against Defendants in an amount necessary to fully and fairly compensate Plaintiff for her losses enumerated above; together with interest, attorney fees, costs of this action, and for such other and further relief to which Plaintiff may be entitled.

Respectfully Submitted,

By: 

BILL J. NUNN, OBA #6726

105 East Main Street

Stigler, OK 74462

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ATTORNEY FOR PLAINTIFF

**JURY TRIAL DEMANDED
ATTORNEYS LIEN CLAIMED**

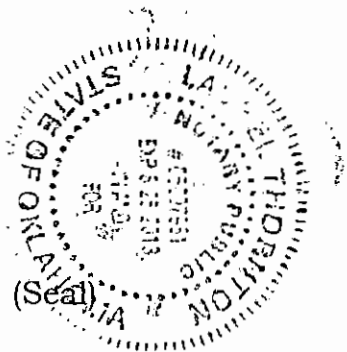
VERIFICATION

STATE OF OKLAHOMA)
) SS:
COUNTY OF HASKELL)

I, Carol Oldham, of lawful age and being first duly sworn upon oath, state as follows: that I am the Plaintiff named in the foregoing action; that I have read the above and foregoing **Complaint**; that the information therein contained is true and correct to the best of my knowledge and belief.


Carol Oldham, Plaintiff

SUBSCRIBED AND SWORN to before me this 22 day of November, 2016.




Notary Public

My Commission Expires: 8-25-17

My Commission Number: 05007951